



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

Judy Payne
875 Bonum Road
Lake Wylie, SC 29710

SEP 21 1999

Dear Ms. Payne:

Thank you for your letter of April 13, 1999 to President Clinton in which you inquired about a potential hazardous waste import from Taiwan into the United States. You raised a number of concerns which I am pleased to have the opportunity to address on behalf of the President.

First, let me explain the circumstances of this waste import and update you on its status as I understand it. Formosa Plastics Corporation (FPC) of Taiwan generates mercury-bearing hazardous wastes in its polyvinyl chloride (PVC) plastics production line. Because Taiwan lacks adequate disposal capacity, FPC recently exported a large quantity of these wastes to Cambodia for final disposal. The wastes were subsequently mismanaged in Cambodia, and the governments of Cambodia and Taiwan reached an agreement to remove them. FPC contracted with a waste management facility in California to take the wastes. However, the California facility reversed its decision upon learning the wastes were more complex than it had originally thought. In addition, EPA withdrew its letter of "no objection" to the import upon receiving additional information about the wastes. The wastes were returned to Taiwan where they remain in storage while undergoing further testing. To my knowledge, FPC has not yet chosen another waste management facility, although several facilities have expressed an interest in receiving the waste.

Under current law, unless an international agreement prohibits the movement of hazardous waste between the United States and another country, such trade may occur. The United States is not prohibited by agreement from accepting hazardous waste from Taiwan, and no consent mechanism exists pertaining to such imports. Inside the United States, "cradle-to-grave" tracking and other requirements of the Resource Conservation and Recovery Act (RCRA) regulations apply to Taiwanese imports. RCRA provides rigorous authorities over hazardous waste generation and management, and we believe our strong regulatory program affords a high level of human health and environmental protection.


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EPA is not aware of any significant environmental problems resulting from our open borders. In fact, the U.S. imports a relatively small amount of hazardous waste in comparison to domestic hazardous waste generation. Any waste or hazardous waste imported into the U.S. is immediately subject to the full body of applicable RCRA regulations and any other applicable U.S. laws and regulations. U.S. policy has been to focus on assuring our hazardous waste facilities are safe and well-operated whether managing wastes generated within the U.S. or the occasional import from another country. Given the strength of the U.S. hazardous waste management system, it is likely that wastes will only be imported by companies that want to assure management according to very high environmental standards.

Despite the absence of a consent process, Taiwan has indicated that they will not release the shipment until they are assured that the waste can indeed be properly disposed of in the U.S. We only send such an assurance after obtaining the recommendation of the EPA Region in which the proposed receiving facility is located.

I hope I have adequately addressed your concerns. Please feel free to contact us at anytime on issues of concern to you.

Sincerely yours,


Elizabeth A. Cotsworth, Director
Office of Solid Waste